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FILED & ENTERED

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UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

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|--|---|---|
| In re: |) | Case No. 2:17-bk-11972 RK |
| |) | |
| BEVERLY MONIQUE MURRAY- CALCOTE, |) | Adv. No.: 2:17-ap-01487 RK |
| |) | |
| Debtor. |) | Chapter 7 |
| |) | |
| UNITED STATES TRUSTEE FOR THE CENTRAL DISTRICT OF CALIFORNIA, REGION 16, |) | ORDER APPROVING STIPULATION BETWEEN PLAINTIFF UNITED STATES TRUSTEE, DEFENDANT BEVERLY MONIQUE MURRAY-CALCOTE AND CHAPTER 7 TRUSTEE GONZALEZ TO VOLUNTARILY DISMISS CASE WITH A REFILING BAR AS TO CHAPTER 7 ONLY IN LIEU OF DENIAL OF CHAPTER 7 DISCHARGE UNDER 11 U.S.C. § 727(a)(2), (a)(3), (a)(4) and (a)(5); CONCURRENT REQUEST TO VACATE STATUS CONFERENCE HEARING DATE, AND TO WITHDRAW AND CLOSE ADVERSARY ACTION AS FULLY-RESOLVED |
| Plaintiff, |) | |
| v. |) | |
| BEVERLY MONIQUE MURRAY- CALCOTE, |) | |
| |) | |
| Defendant. |) | <u>Continued Status Conference:</u> Date: May 22, 2018 Time: 1:30 p.m. Place: Courtroom 1675 255 E. Temple Street Los Angeles, CA |

PURSUANT TO the Stipulation To Voluntarily Dismiss Case Pursuant To 11 U.S.C. §§
707(b)(3) and 707(a) With A Refiling Bar As To Chapter 7 Only In Lieu Of Denial Of Chapter 7
Discharge Under 11 U.S.C. § 727(a)(2), (a)(3), (a)(4) and (a)(5); Vacating Status Conference
Hearing Date; and Closing Adversary Action ("Stipulation"), documenting the stipulated entry of

1 an Order effecting the voluntary dismissal of Defendant's underlying Chapter 7 Case with a
2 Refiling Bar as to Chapter 7 Only, the voluntary withdrawal of the U.S. Trustee's pending
3 Adversary Action, 2:17-ap-01487 RK and the parties' concurrent request to vacate the continued
4 Status Conference Hearing date of May 22, 2018 at 1:30 p.m., with the closure of the U.S.
5 Trustee's instant Adversary Action against Defendant/ Debtor, BEVERLY MONIQUE
6 MURRAY-CALCOTE, as previously-agreed by and between the parties, through their
7 respective counsel, GOOD CAUSE HAVING BEEN SHOWN:

8 1. This case is hereby and immediately DISMISSED, with a 8-year refiling bar for
9 any subsequent Chapter 7 case only, from the entry date of the Order approving this Stipulation,
10 in lieu of denial of the Defendant/Debtor's Chapter 7 discharge 11 U.S.C. § 727(a)(2), (a)(3),
11 (a)(4) and (a)(5);

12 2. The Defendant/Debtor shall not and will not file a petition for relief under chapter
13 7 of Title 11 for a period of 8 years after the bankruptcy court's entry of this Order;

14 3. Any order previously entered granting Defendant/Debtor BEVERLY MONIQUE
15 MURRAY-CALCOTE a discharge in Case No. 2:17-bk-11972 RK, the above-captioned Chapter
16 7 bankruptcy case, is VACATED;

17 4. The Adversary Action commenced by Plaintiff's Complaint For Denial of the
18 Defendant/Debtor's Discharge, Adv. No. 2:17-ap-01487 RK is fully resolved under the terms of
19 the Stipulation, and is therefore HEREBY WITHDRAWN, and shall be CLOSED concurrently
20 with the entry of this Order;

21 5. Pursuant to the Stipulation, Chapter 7 Trustee Gonzalez and his court-approved
22 professionals have waived their respective fees and expenses incurred throughout the course of
23 this bankruptcy case to investigate and attempt to administer estate assets. Contemporaneously
24 with the entry of this Order, Chapter 7 Trustee Gonzalez shall return any and all estate assets,
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1 and potential estate assets, in his possession and/or control to the custody and possession of the
2 holder or holders of said assets;

3 6. Plaintiff, Defendant/Debtor and the Chapter 7 Trustee shall each bear their own
4 fees and costs in connection with the underlying bankruptcy case, including the U.S. Trustee's
5 Adversary Action, and each waives the right to make a claim against the other for such costs,
6 attorneys' fees or any other expenses associated with this matter, including the U.S. Trustee's
7 underlying Adversary Action; and
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9 7. The continued status conference in the Adversary Action, currently set for May
10 22, 2018 at 1:30 p.m, is hereby VACATED as moot.
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12 IT IS SO ORDERED:

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25 Date: January 26, 2018



26 Robert Kwan
27 United States Bankruptcy Judge
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